

Introduced by Senator BatesFebruary 18, 2016

An act to amend Section 11340.1 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

SB 1237, as introduced, Bates. State government: regulations.

Existing law, for the purpose of reducing and improving administrative regulations, establishes an Office of Administrative Law to review adopted regulations.

This bill would make several nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11340.1 of the Government Code is
2 amended to read:
3 11340.1. (a) The Legislature therefore declares that it is in the
4 public interest to establish an Office of Administrative Law ~~which~~
5 ~~shall be~~ charged with the orderly review of adopted regulations.
6 It is the intent of the Legislature that the purpose of ~~such~~ *the* review
7 shall be to reduce the number of administrative regulations and to
8 improve the quality of ~~those~~ regulations ~~which~~ *that* are adopted.
9 It is the intent of the Legislature that agencies shall actively seek
10 to reduce the unnecessary regulatory burden on private individuals
11 and entities by substituting performance standards for prescriptive
12 standards ~~wherever~~ *if* performance standards can be reasonably
13 expected to be as effective and less burdensome, and that this

1 substitution shall be considered during the course of the agency
2 rulemaking process. It is the intent of the Legislature that neither
3 the Office of Administrative Law nor the court should substitute
4 its judgment for that of the rulemaking agency as expressed in the
5 substantive content of adopted regulations. It is the intent of the
6 Legislature that while the Office of Administrative Law will be
7 part of the executive branch of state government, that the office
8 work closely with, and upon request report directly to, the
9 Legislature in order to accomplish regulatory reform in California.
10 (b) It is the intent of the Legislature that the California Code of
11 Regulations made available on the Internet by the office pursuant
12 to Section 11344 include complete authority and reference citations
13 and history notes.